

NOTICE OF EXEMPTION

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FROM: Kevin De Los Santos, Planner, Planning & Development
COUNTY OF SANTA BARBARA
BOARD OF SUPERVISORS

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN: 081-250-014 Case No.: 24CDH-00015

Location: 11180 Calle Real

Project Title: El Capitan Cyn Campground – Emergency Creek Bank Repair

Project Applicant: Cima Del Mundo, LLC

Project Description: The Project is a request for a follow-up Coastal Development Permit with Hearing (CDH) to validate the emergency creek bank repair authorized under an Emergency Permit (Case No. 24EMP-00004). The Emergency Permit authorized a creek bank repair that required placement of large, natural boulders within an approximately 45-foot long scour area along the east bank of El Capitan Creek. Voids between the boulders were filled with a natural stream mix of cobbles and gravel. The emergency creek bank repair occurred February 16 through February 17, 2024.

This CDH will also allow additional repairs to the east creek bank damaged by additional atmospheric river storm events. The additional repair work requires removal and repositioning of the boulders installed and authorized under Case No. 24EMP-00004. The removal and repositioning of large, natural boulders will occur within an approximately 52-foot-long section. The boulders will be properly keyed into the substrate. The boulders will be filled with a natural stream mix of cobbles and gravel. All creek bank repair work will be monitored by a qualified biologist and a certified arborist. A Habitat Restoration Plan will be implemented upon completion of the repair work.

The parcel is served by the El Capitan Mutual Water Company, an existing septic system, and the Santa Barbara County Fire Department. Access is provided via a private driveway from Calle Real. The property is a 196.31-acre parcel zoned AG-II-100 and shown as Assessor's Parcel Number 081-250-014, located at 11180 Calle Real in the Gaviota Coast Plan area, Third Supervisorial District.

Name of Public Agency Approving Project: County of Santa Barbara

El Capitan Cyn Campground – Emergency Creek Bank Repair
Case No. 25CDH-00015
June 3, 2025

Name of Person or Entity Carrying Out Project: Cima Del Mundo, LLC

Exempt Status:

- Ministerial
- Statutory Exemption
- Categorical Exemption
- Emergency Project
- Declared Emergency

Cite specific CEQA and/or CEQA Guidelines Sections: Section 15269(c) [Emergency Projects] and 15301 [Existing Facilities]

Reasons to support exemption findings: CEQA Guidelines Section 15269(c) exempts “specific actions necessary to prevent or mitigate an emergency.” As a result of the intense rains and storms, an approximately 45-foot long scour to the bank of El Capitan Creek presents a risk of slope failure and threatens nearby existing structures. The scoured creek bank is approximately five feet from an existing market building and five feet from an existing pedestrian bridge. Emergency action is warranted in this case because the risk of slope failure is an immediate threat to property (market building & pedestrian bridge) and a threat to the health and safety of persons that utilize the project site. Building and Safety inspectors conducted a site visit to evaluate the scoured creek bank and determined that a present danger does exist and the project constitutes an emergency. Building and Safety inspectors confirmed that emergency work to repair the creek bank should commence as soon as possible and prior to the forecasted storm beginning February 18, 2024. Therefore, this statutory exemption applies to the proposed project.

CEQA Guidelines Section 15301 [Existing Facilities] exempts repair of existing facilities that do not result in an intensification of use. This exemption applies to the Project because the proposed development will repair an existing creek bank and will not result in an intensification of use. CEQA Guidelines Section 15301 is subject to compliance with the exceptions listed below.

- (a) Location.** Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

This exception does not apply to Class I exemptions.

- (b) Cumulative Impact.** All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

The Project is a request to validate an emergency repair of a scoured creek bank that was at risk of slope failure near an existing building and bridge and to allow additional repairs caused by additional atmospheric river storm events. Additional emergency repairs, of existing damaged creek banks, that are developed in conformance with applicable ordinance and policy regulations on parcels in the vicinity would not result in a cumulatively significant impact. Accordingly, the cumulative impact of successive projects of the same type in the same place, over time, would not be significant.

- (c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.**

There is no substantial evidence that the Project involves unusual circumstances, including future activities, resulting in or which might reasonably result in significant impacts which threaten the environment. Accordingly, this exception to the Categorical Exemption is not applicable to the Project.

- (d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.**

The proposed creek bank repair is not located in close proximity to any state designated scenic highway. The Project is a request to validate an emergency repair of a scoured creek bank that was at risk of slope failure near an existing building and bridge and to allow additional repairs caused by additional atmospheric river storm events. The repair work will not result in damage to scenic resources. Therefore, this exception to the Categorical Exemption is not applicable to the Project.

- (e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.**

The proposed project is not located on a site that is included on any list compiled pursuant to Section 65962.5 of the Government Code. Therefore, this exception to the categorical exemption does not apply.

- (f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.**

There are no known historical resources located near the proposed repair work that would be affected by the Project. The proposed repair work required placement of large,

